

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

SAMULE JOSE BAPTISTA,
Plaintiff,

v.

CIVIL ACTION NO.
20-10198-MBB

PLYMOUTH COUNTY CORRECTIONAL
FACILITY, et al.,
Defendants.

ORDER TO FILE PRISON ACCOUNT STATEMENT

May 21, 2020

BOWLER, U.S.M.J.

On February 18, 2020, Samuel Jose Baptista, who is incarcerated at the Plymouth County Correctional Facility, filed his second motion for leave to proceed without prepayment of the filing fee. In an earlier order, the Court had advised Baptista that he could not proceed without prepayment of the filing fee unless he filed a prison account statement showing the transactions and balances of his institutional account for the previous six months. See 28 U.S.C. § 1915(a)(2).

Notwithstanding the Court's earlier instruction, Baptista did not include the necessary prison account statement with his second motion to proceed without prepayment of the filing fee.

If Baptista wishes to proceed with this action, he must resolve the filing fee. He may do this by paying a \$400 filing

fee. If he wishes to proceed without prepaying the filing fee, he must submit to this Court a six-month prison account. This document is generally available from the treasurer of the institution having custody of a prisoner plaintiff.

The Court advises Baptista that, even if he submits the prison account statement and is allowed to proceed without paying the filing fee up front, he will still be required to pay \$350 of the fee over time. Subject to some exceptions, the prison treasurer will forward to the Clerk twenty percent of Baptista's income on a monthly basis until the \$350 has been paid in full, regardless of when and why the case ends.

If Baptista does not pay the \$400 filing fee or file a six-month prison account statement within 21 days, this case may be dismissed without prejudice.

SO ORDERED.

/s/ Marianne B. Bowler
MARIANNE B. BOWLER
United States Magistrate Judge